

Peter J. Connors – Publications through February 2023

- “IRS Issues First Guidance on the Corporate Alternative Minimum Tax,” Bloomberg Law (February 17, 2023)
- “6 Tax Considerations For Life Sciences Collaboration Deals,” Law360 (October 20, 2022) (with Shulman and Hirschfeld)
- “Proof of Stake Rewards: Payment for Services or a Baked Cake?,” On the Chain (February 22, 2022) (with Janoff and Reisenburg)
- “Infrastructure Law Adds Important Crypto Provisions,” On the Chain (January 10, 2022) (with Perkins)
- “The Hydrogen Provisions of the Bi-Partisan Infrastructure Plan,” Pratt’s Energy Law Report (October 2021)
- “IRS Ruling Opens Runway for Stalled Carbon Capture Deals,” Law360 (July 9, 2021) (with Cockerham and Emmett)
- “The Next Step: FinCEN Proposes to Require Reporting of Cryptocurrency Positions Held in Foreign Accounts,” On the Chain (February 16, 2021)
- “Financial Incentives for Carbon Capture, Use and Sequestration: The Updated Section 45Q Tax Credit Program,” PLI (January 19, 2021)
- Principal Co Author, “Report on Proposed and Final Regulations Addressing GILTI and Subpart F High Tax Exceptions,” NYSBA (September 29, 2020) (with Scanlon and Stauber)
- “Review of Federal, State, and Regional Tax Strategies and Opportunities for CO2 EOR Storage and the CCUS Value Chain” (September 21, 2020) (with Ditzel, Emmet, and Fengrong)
- “Developers and Tax Equity Investors Receive More Guidance on Carbon Capture Credit Requirements,” Bloomberg Tax Management Memorandum (July 6, 2020) (with Emmet)
- “IRS Hints at Form 8938 Requirements for Reporting Crypto Assets Held at a Foreign Exchange,” On the Chain (January 8, 2020)
- “HMRC’s New Approach to Cryptoassets – Tax First, Define Later,” On the Chain (September 25, 2019)
- “Carbon Capture Sequestration Orrick Responds to the IRS Request for Comments” (August 20, 2019) (with Lawrence and Cowell)
- Principal Co Author, “Report on the Proposed Foreign Tax Credit Regulations,” NYSBA (February 5, 2019) (with Ansgar Simon)
- “A Second Bite at the APA: Altera’s Rehearing and the Potential Invalidity of Cost Sharing Regulations”—Part Three, Bloomberg Tax Management International Journal (November 3, 2018) (with de Marigny and Rodgers)
- “A Second Bite at the APA: Altera’s Rehearing and the Potential Invalidity of Cost Sharing Regulations”—Part Two, Bloomberg Tax Management International Journal (November 1, 2018) (with de Marigny and Rodgers)
- “A Second Bite at the APA: Altera’s Rehearing and the Potential Invalidity of Cost Sharing Regulations”—Part One, Bloomberg Tax Management International Journal (October 31, 2018) (with de Marigny and Rodgers)
- “The IRS is Closing in on Cases Regarding Bitcoin Income Reporting,” On the Chain (November 8, 2018)
- “Taxing a Moving Target: Tax Issues Involving Cryptocurrency,” Tax Review (November 12, 2018)
- “IRS Advisory Committee Identifies the Need to Enforce Compliance on Cryptocurrency Transactions,” On the Chain (November 26, 2018)
- Principal Co-Author, “New York State Bar Association Tax Section Report on Section 894(c) and ECI” (with Li and Stauber) (June 13, 2017)
- “The ETE-Williams Dispute Through A Tax Lens,” *Law 360*-(August 22, 2016) (with Halper).
- “Final Section 385 Regulations,” *Bloomberg BNA Tax Management International Journal*(February and March 2017) (with De Marnig and Rodgers)

- “Proposed Regulations Under §385 Classifying Interests in a Corporation,” *Bloomberg BNA Tax Management International Journal* (July 2016) (with De Marnigy and Rodgers)
- “Inversions: Recent Developments and 2 Predictions,” *Law 360* (January 2016 (with Halper)
- “IRS Proposes to Revise the Treatment of Nonperiodic payments (Section 956-CFC Earnings Investment),” *Tax Notes Today* 2015 TNT 131-10 (June 2015) (with Lessard)
- “Inversions to the US: Going Against the Tide?” *Practical Law* (March 2015) (with Denny)
- “IRS Announces Intent to Tax Transfers to Partnerships with Foreign Partners,” *Bloomberg BNA* (November 2015) (with Lessard)
- “Assessing Retroactive Inversion Legislation And Its Risks,” *Law 360* (September 2014) (with Halper)
- “Inbound Inversions for German Technology Companies,” *Tax Management International* (December 2014) (with Schultes-Schnitzlein)
- “The Legal and Practical Implications of Retroactive Legislation Targeting Inversions,” *Harvard Law School Forum on Corporate Governance and Financial Regulation* (September 16, 2014) (with Halper, Keenan and Lebigre)
- “New York State Bar Association Tax Section Report on Proposed Regulations under Section 871(m)” (May 20, 2014)(with Nijenhuis)
- “The Financial Product Tax Reform Proposals,” *Tax Notes* (December 23, 2013)
- “Updating the Sovereign Tax Exemption: The Proposed Regulations Under Section 892,” *Tax Management International* (April 2012)
- “General Tax Accounting Rules, IFRS and Derivatives,” *Derivatives & Financial Instruments* (Vol. 12-No, 2, April 2010) (with D'Amelio, Marshall, and Carman)
- Principal Co-Author, “NYSBA Report on Registered Debt Following the Hire Act” (December 15, 2011) (with Welsh)
- Principal Co-Author, “NYSBA Report on Issues Under Section 909 of the Code” (November 8, 2010) (with Braiterman, Hardy & Simon)
- “General Tax Accounting Rules, IFRS and Derivatives,” *Derivatives & Financial Instruments* (Vol. 12-No, 2, April 2010) (with D'Amelio, Marshall, and Carman).
- Principal Co-Author, “NYSBA Report on Qualified Intermediary and Related Withholding and Information Reporting Legislation Proposed by the Administration” (September 10, 2009) (with Borisky and Wollman).
- U.S. Reporter, “Foreign Exchange Issues in International Taxation,” *Cahiers*, International Fiscal Association (2009).
- “China Tax Treaty Preference: Burden of Proof & Documentation,” *Practical Asian Tax Strategies*, by Neal Stender, Peter Connors and Forrest Ye (December 2008).
- Principal Author, “NYSBA Report on the Proposed Contract Manufacturing Regulations” (August 1, 2008).
- “PRC Taxes on Hong Kong & Foreign Companies: Clarifications, Changes, Challenges & Opportunities,” *China Law & Practice*, by Neal Stender, Qingsong (Kevin) Wang and Peter Connors (May 21, 2007)
- “New French Protocol Updates U.S.-France Income Tax Treaty,” with Stéphane Salou, *Tax Management International* (July 14, 2006)

- “Application of U.S. Treaties to Hybrid Entities,” with Rocco Femia, *Tax Management International* (March 10, 2006)
- “IRS Releases Second Round of Advice on Repatriation Rules,” *Corporate Finance* (Fall 2005)
- “NatWest Decision Prevents IRS Adjustments of US Branch’s Interest Deductions: Impact on Capital Allocation,” *Derivatives & Financial Instruments* (July/August 2005)
- “Section 965 Update, with Michael A. Beckius, *Tax Strategies for Corporate Acquisitions, Dispositions, Spin-Offs, Joint Ventures, Financings, Reorganizations & Restructurings -2005* (Oct, 2005)
- “The Financial Products Area - recent US developments,” *The Euromoney Corporate Tax Handbook 2006* by Peter Connors
- “Covered BONDS - a global taxation perspective,” *The Euromoney Corporate Tax Handbook 2006* by Peter Connors, Patrizio Messina, David Nirenberg, Stéphane Salou, Paul White and George Wolf
- TM Portfolio 809-3d—The Branch Related Taxes of Section 884 (Jan 2005)
- “Selected International Provisions of the American Jobs Creation Act of 2004 Affecting Canadians Doing Business in the U.S.,” by Peter J. Connors and Stephen J. Jackson, published by *Corporate Finance* (Winter 2005)
- “Selected Global Tax Planning Issues” published in *Euromoney Global Tax Handbook-2005* by Peter J. Connors, Stéphane Salou, Paul White and George Wolf
- “Special Supplement on the International Provisions of the American Jobs Creation Act of 2004” by Peter J. Connors, published by *Tax Management* (December 13, 2004)
- “Does Dow Chemical’s Victory in its COLI Case Signal the Demise of the Factual Sham Doctrine?,” by Peter J. Connors and Richard Voll, *The Journal of Taxation of Financial Products* (Winter 2004)
- “IRS Issues Proposed Section 1446 Regulations Replacing Revenue Procedure 89-31,” by Colman J. Burke, Peter J. Connors and Steven L Kopp, published in *The Real Estate Finance Journal* (Fall 2004)
- “The Proposed Regulations on Foreign-Currency-Denominated Contingent Debt Instruments,” by Peter J. Connors, published by *Tax Management* (May 3, 2004)
- “Recent Cases Involving the Economic Sham Transaction Doctrine – Or Whatever They are Calling it Now,” by Peter J. Connors, Giles Sutton and Richard Voll, published by PLI (July 2004)
- “IRS Rules that Interest in Felines PRIDES Structure is Deductible,” by Peter J. Connors, to be published in *Corporate Finance* (Winter 2004)
- “IRS Withdraws the Check-the-Box Regulations’ Extraordinary Transaction Rule,” by Peter J. Connors, to be published in *Corporate Finance* (Winter 2004)
- “New United States—United Kingdom Income Tax Treaty,” by Peter J. Connors and Paul White, published by *International Bureau of Fiscal Discrimination, Derivatives & Financial Instruments*, Volume 5 Number 6 (November/December 2003)
- “The New Tax Shelter Landscape,” *Treasury & Taxation*, January 14, 2002.
- “Carryover of Corporate Attributes in International Reorganizations,” *Journal of Corporate Taxation*, Winter 2002 (with Voll).
- “2000 Tax Act Changes to Derivatives Taxation,” *Derivatives & Financial Instruments Journal*, 2001.
- “FAS 133 Raises Complex Issues for Corporate Treasurers,” *FAS 133 Supplement, Institutional Investor* (Nov. 2001).
- “IRS Issues Reverse Hybrid Regulations,” *Derivatives & Financial Instruments Journal* (Nov. 2001).
- Best Practices in Tax & Treasury, Presentation (Oct. 2001)

- “Hybrid Instruments - Current Issues,” with Woll, *Tax Strategies for Corporate Acquisitions, Dispositions, Spin-Offs, Joint Ventures, Financings, Reorganizations, and Restructurings - 2001* (Oct. 2001).
- “The Extraterritorial Income Exclusion Regime Increases Scope of Export Incentives,” with Block, *International Tax Review* (Aug. 2001).
- “IES Industries Revisited,” *Tax Management Memorandum* (Aug. 2001).
- “Non-Resident Alien Withholding,” appearing as Chapter 16, *U.S. Taxation of Foreign Controlled Businesses*, Warren, Gorham & Lamont (July 2001).
- “Final Regulation Governing Pre-Reorganization Redemptions and Distributions Issued,” with Grech, *Corporate Finance* (July. 2001).
- “IRS Releases Interest Capitalization Regulations,” *Corporate Finance* (July 2001).
- “IRS Releases Regulations Covering Financial Product Issues,” *International Tax Planning Review* (May 2001).
- “A Practical Guide for the New QI,” with Balaban et al, *Journal of International Taxation* (April 2001).
- “Elections Create Opportunities for Foreign Currency Transactions,” *Journal of Taxation of Financial Institutions* (Feb. 2001).
- “Final FSC Replacement Legislation,” with Voll, *Corporate Tax and Business Planning Review* (Feb. 2001).
- “Nine Months of Working with the QI Agreement,” with Michaels et al, *Journal of International Taxation* (Nov. 2000).
- “IRS Releases Final Qualified Intermediary Agreement,” with Balaban, *Derivatives & Financial Instruments* (Nov. 2000).
- “IRS Continues Attack on Corporate Tax Shelters,” *Corporate Finance* (Nov. 2000).
- “Hybrid Instruments - Current Issues,” with Woll, *Tax Strategies for Corporate Acquisitions, Dispositions, Spin-Offs, Joint Ventures, Financings, Reorganizations, and Restructurings - 2000* (Oct. 2000).
- “The Mark-to-Market Rules of Section 475,” with Caginalp and Handler, *Tax Management Portfolio No. 543* (Bureau of National Affairs, June 2000).
- “New Tax Act Requires Taxpayers to Modify Hedging Programs ,” *Derivatives & Financial Instruments* (March/April 2000).
- “Financing International Operations,” New England Regional Meeting, *International Fiscal Association* (Nov. 1999).
- “Hybrid Instruments - Current Issues,” with Woll, *Tax Strategies for Corporate Acquisitions, Dispositions, Spin-Offs, Joint Ventures, Financings, Reorganizations, and Restructurings - 1999* (Oct. 1999).
- “New Regulations on the Euro's Impact Liberally Defer the Taxable Event,” with Handler, *Journal of Bank Taxation* (Winter 1999).
- “Recent Developments Affecting Securities Dealers and Traders Under Section 475,” *Tax Management Memorandum* (Oct. 1998).
- “Hybrid Instruments - Current Issues,” with Woll, *Tax Strategies for Corporate Acquisitions, Dispositions, Spin-Offs, Joint Ventures, Financings, Reorganizations, and Restructurings -1998* (Oct. 1998).
- “Recent Developments Affecting Code Section 475,” with Caginalp and Handler, *Tax Management Memorandum - Corporate Tax and Business Planning Review* (April 1998).
- “Debt-Equity Conversions,” with Woll, *Journal of Bank Taxation* (Fall 1997).
- “Substantiation for Foreign Tax Credits,” with Woll, *Journal of Bank Taxation* (Fall 1997).
- “The Mark-to-Market Rules under Section 475 - An Update,” with Caginalp and Handler, *Tax Notes* (Nov. 1997).

- “Hybrid Instruments - Current Issues,” Freeman, *Tax Strategies for Corporate Acquisitions, Dispositions, Spin-Offs, Joint Ventures, Financings, Reorganizations, and Restructurings - 1997* (Oct. 1997).
- “Section 475 after the 1997 Tax Act and the Final(?) Regulations,” with Handler and Caginalp, *Tax Notes* (Aug. 1997).
- “IRS Rules that Letter of Credit Fees are Sourced Under Interest-Sourcing Rules,” with Book, *Journal of Bank Taxation* (Spring 1997).
- “Nova Scotia ULCs Can Check-the-Box,” with Stewart, *Corporate Finance* (1997).
- “A Guide to the Proposed Withholding Tax Regulations,” with Book et al., *Tax Notes* (Dec. 1996).
- “New Regulations Impact Notional Principal Contract Assignments,” with Harter, *BNA Financial Products Reporter* (Sept. 1996).
- “Foreign Broker Was Engaged in U.S. Trade or Business Through the Activities of an Agent: InverWorld, Inc. v. Cm’r.,” with Toan et al, *Tax Management Int’l* (1996).
- “Final Transfer-Pricing Penalty Regulations Seek Compliance with Arm’s-Length Standard,” with M. Saltzman, *Journal of Bank Taxation* (Fall 1996).
- “Final Regulations Narrow Favorable Presumptions and Expand Scope of Anti-Conduit Financing Rules,” with Saltzman and Woll, *Journal of Bank Taxation* (Spring 1996).
- “Final Consolidated Group Hedging Regulations Permit Retroactive Elections,” with Conlon, Russell and Wheeler, *Journal of Taxation* (Apr. 1996).
- “Proposed U.S. Regulations Curb Transactions Involving Cross-Border Leases,” *Corporate Finance* (1996).
- “Proposed Regulations Define Active Banks and Securities Firms for PFIC Purposes,” with O’Donnell, *Journal of Bank Taxation* (Fall 1995).
- “Consolidated Hedging Prop. Regs. Begin to Provide Workable Rules,” with Conlon, Russell and Wheeler, *Journal of Taxation* (July 1995).
- “Despite Narrow Drafting, Anti-Conduit Proposed Regulations Raise Serious Issues for Banks,” with McFadyen, *Journal of Bank Taxation* (Spring 1995).
- “Final Business Hedging Regulations Are a Big Improvement, but Hard Questions Are Left Unresolved,” with Conlon, *Journal of Taxation* (Jan. 1995).
- “Amendments to U.S.-Canada Treaty Make Withholding and Other Income Tax Changes,” with McFadyen, *Journal of Bank Taxation* (Winter 1995).
- “Taxation of Hedging Transactions,” with Harter, Chapter 16, *Controlling and Managing Derivatives Risks: A Handbook for Corporate Directors, Treasurers and Institutional Investors* (Irwin Financial Press 1995).
- “U.S. Proposes Contingent Debt Regulations,” with Woll, *Corporate Finance* (1995).
- “IRS Rules on Interest Methods and Withholding on Swaps; Tax Court Restricts Subpart F,” *Journal of Bank Taxation* (Fall 1994).
- “IRS Clarifies OID Rules for Variable Rate Debt and Accounting Method Changes,” with Conlon and Butch, *Journal of Taxation* (July 1994)
- “Opportunities for CFCs to Defer Income Restricted under RRA ’93,” with Cheong, *Journal of Bank Taxation* (Spring 1994).
- “Cross-Border Asset Securitizations: Issues and Opportunities for Canadian Corporations,” with Wheeler and Richardson, *Corporate Finance* (1994).
- “New Transfer Pricing Penalty Regulations Require Immediate Action” with M. Patton, *Corporate Finance* (1994).
- “IRS Issues Final Rules Relating to the Taxation of Business Hedging Transactions,” with Wilson, *Corporate Finance* (1994).

- “Proposed Regulations Regarding Accounting for Notional Principal Contracts,” with Breen et al., *American Bar Association, Section of Taxation, Committee on Sales and Financial Transactions* (1993).
- “Comments Concerning Proposed Regulations under Sections 1221 and 446 (Taxation of Gains from Hedging Transactions),” with Duncan et al., *American Bar Association, Section of Taxation, Committee on Sales and Financial Transactions* (1993).
- “Final Regulations Affect Timing of Deductions for Amounts Owed to Related Foreign Persons,” with MacArthur, *Journal of Bank Taxation* (Fall 1993).
- “Dual Consolidated Loss Rules Eased in Final Regulations,” with Mogenson and Abel, *Journal of Bank Taxation* (Spring 1993).
- “Treatment of Notional Principal Contracts Further Complicated by Prop. Regs.,” *Journal of Taxation*, with Breen and Weinrib (March 1992).
- “Advance Pricing Agreements can Prevent Double Tax of Global Trading Profits,” with Levey and Haertel, *Journal of Bank Taxation* (Fall 1992).
- “Report on the Proposed Cross-Border Securities Lending Regulations”, with May, *American Bar Association, Section of Taxation, Committee on Sales and Financial Transactions* (April 1992).
- “U.S. Rulings Protect International Banking Income for Double Taxation” *Corporate Finance* (1992).
- “Strategies for Leveraging Canadian Subsidiaries,” with Carnevale, *Corporate Finance* (1992).
- “New United States-Netherlands Treaty Will Affect Canadian Multinational Financing Arrangements,” with Barnicke and Postma, *Corporate Finance* (1992).
- “Hedging Profits or Losses - A Move in the U.S. to Full Income Treatment,” with Wilson, *Corporate Finance* (1992).
- “New Interest Expense Allocation Rules Pose Practical Difficulties for Foreign Banks,” with Blanco and Epstein, *Journal of Taxation* (1992).
- “Final and Proposed Regulations Expand Available Foreign Currency Hedging Opportunities,” with Weinrib and Driscoll, *Journal of Taxation* (Aug. 1992).
- “Treatment of Notional Principal Contracts Further Complicated by Prop. Regs.,” with Conlon, Russell and Wheeler, *Journal of Taxation* (March 1992)
- “Planning Opportunities Under the Proposed Earnings-Stripping Regulations,” with Kroop, *Journal of Bank Taxation* (Fall 1991).
- “Contingent Debt Instruments Are Divided and Conquered under the New OID Proposed Regulations,” with Conlon and Butch, *Journal of Taxation* (July 1991).
- “Application of Market Discount Rules to Speculative Bonds,” with Barr et al, *American Bar Association, Section of Taxation, Committee on Sales and Financial Transactions* (May 1991).
- “Tax Implications of Cross-Border Trading by International Banks,” with Levey et al., *Tax Notes* (1991)
- “Final Regulations Ease Rules for Portfolio Bearer Debt Offerings,” with Hiltz, *Journal of Taxation* (Sept. 1990)
- “Report on Sections 243 and 453, as Amended by the Omnibus Budget Reconciliation Act (OBRA),” with Keyes, *American Bar Association, Section of Taxation, Committee on Sales and Financial Transactions* (1988).
- “Comments on the Implications of Arkansas Best on the Section 1256(e) Hedging Exception,” with Cima and Shadowen, *American Bar Association, Section of Taxation, Committee on Sales and Financial Transactions* (1988).
- “Comments on the Treatment of Interest Rate Swap Payments,” with Lovejoy, *American Bar Association, Section of Taxation, Committee on Sales and Financial Transactions* (1988).
- “Recent IRS Ruling Focuses on LDC Debt Transactions,” *International Tax Journal* (1988).
- “New Mixed Straddle Regulations Answer Many Questions But Issues Remain Unresolved,” *Journal of Taxation* (Dec. 1985).

- “Important Developments, U.S. Activities of Foreigners and Tax Treaties,” with Rossotti, *Tax Lawyer* (1985).
- “Important Developments, U.S. Activities of Foreigners and Tax Treaties,” with Rossotti, *Tax Lawyer* (1984).
- “New Foreign Tax Credit Rules Create Separate Return Limitation,” *Journal of Taxation* (Shop Talk) October, 1984).
- “Important Developments, U.S. Activities of Foreigners and Tax Treaties,” with Krauthamer, *Tax Lawyer* (1983).
- “The New Provisions Concerning the Reporting of International Transactions: An Analysis of TEFRA, the Tax Haven Report and New Form 5471,” with Krauthamer, *Journal of Taxation* (July 1983).
- “Acquisitions and the New Tax Law,” with Goldman, *Corporate Director* (October 1982).
- “Aliens May File Fiscal-Year Returns:” What are the Implications of the Service's New Position?, with Goldman, *Journal of Taxation* (November, 1981).
- “What You Should Know About Blocked Foreign Income,” Prentice-Hall, *US Taxation of International Operations* (Aug. 1981).
- “U.S. Eases Foreigners' Right to Elect Fiscal Tax Year,” with Goldman, *International Tax Report* (June, 1981).
- “IRS Puts Tough Limits on Election of Fiscal Year by Foreign Individuals,” with Goldman, *Journal of Taxation* (Sept. 1980).
- “Bankruptcy Reform: Relief for Individuals with Regular Income,” *University of Richmond Law Review* (1979).